

REMARKS

The claims have been amended to place the application in a condition for allowance.

Claim 38 has been canceled; independent claims 13 and 60 have been amended to clarify that the matching portions are of sufficient length to target the first nucleotide sequence. Applicants believe that this limitation was already inherently present in the claims; however, in order to dispel any allegations of indefiniteness, this stipulation has been added.

Thus, no new matter has been added and entry of the amendment is respectfully requested.

The rejection of claim 38 under 35 U.S.C. § 112, first paragraph, has been obviated by the cancellation of this claim.

The rejection of all pending claims under 35 U.S.C. § 112, second paragraph, has been addressed by amendment. The phrase objected to as lacking clarity appears only in independent claims 13 and 60; the remaining claims, dependent thereon were included in the rejection on that basis. As stated above, the clarifying phrase that the matching portions are of sufficient length to target the first nucleotide sequence addresses the concern set forth by the Office that the portions that match could include just one nucleotide. As made clear by the amendment, the matching portions must be of sufficient length to target the first nucleotide sequence. If the Office would prefer to further clarify this by stating that the portions are of sufficient length to “specifically” target said first nucleotide sequence, this would be acceptable as well.

In view of this amendment, it is believed that the rejection under 35 U.S.C. § 112, second paragraph, may be withdrawn.

CONCLUSION

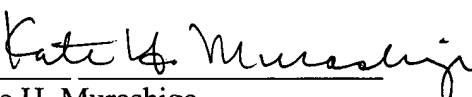
In light of the amendments and discussion above, it is believed that claim 13 and its dependent claims 14, 16-17, 19 and 25-36; including claim 34 and its dependent claims 36, 39-41, and 47-48; and claims 60 and its dependent claims 61, 64-66, 72-73 and 81-82 are in a position for allowance. Applicants respectfully request that these claims be passed to issue.

If it is believed that a telephone conference would helpful in expediting allowance, a telephone call to the undersigned is respectfully requested. In view of the sole outstanding objection being based on clarity of claim wording, applicants' undersigned representative would be more than happy to discuss alternative formulations of wording with the Examiner.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 524412000200.

Dated: May 13, 2004

Respectfully submitted,

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